II. MONTHWISE FOODGRAINS UTILISATION DURING 1986-87

(Lakh MTs)

Programme	April	May	June	July	August	Septemher
NREP	0·94	1·20	1·31	0·55	1·50	0·73
RLEGP	0·27	0·28	0·44	48	0·41	0·52
TOTAL	1·21	1·48	1·75	1·03	1·91	1·25

Conference of State Revenue Ministers

3437. SHRI N. E. BALARAM: Will the Minister of AGRICULTURE be pleased to state:

(a) whether a Conference of the State Revenue Ministers was held on 24th November, 1986 in New Delhi;

(b) whether a comprehensive review of the land reforms measures was undertaken in this Conference; and

(c) if so, the details of the conclusion arrived there at?

THE MINISTER OF STATE IN TEH DEPARTMENT OF RURAL DEVELOPMENT IN THE MINISTRY OF AGRICULTURE (SHRI RAMANAND YADAV): (a) and (b) A Conference of the State Revenue Ministers was held on 25th November, 1986 preceded by a Conference of Revenue Secretaries on 24th November, 1986 to undertake a comprehensive review of the land reforms measures.

(c) The broad consensus which emerged in the said Conference is as follows:—

The States in which intermediary tenures still survive will take early steps for the abolition of such intermediary tenures, by enacting necessary legislation by the end of next year and its complete implementation by the end of 7th Plan.

2.1 The drive to find out the extent and spread of informal or concealed tenancies as suggested last year, should be continued wherever already started, and initiated on a crash basis, wherever not yet started so far. It should be followed by conferment of ownership rights on all categories of tenants including share-croppers excepting the specifically exempted categories. However, names of tenants tilling land belonging to exempted categories also should be recorded in record of rights and they should be provided security of tenure.

2.2 The results of this drive should be regularly and vigorously monitored at the highest level by the respective State Governments.

3. In order to prevent emergence of informal and oral tenancies States may take steps to provide for a stricter definition of personal cultivation wherever not already done.

4. The existing definition of persons under disability and privileged tenants and provisions regarding exemptions in respect of other exempted categories including religious institutions should be reviewed. Necessary steps should be taken to plug loopholes in order to bring the existing legal provisions in conformity with national policy guidelines. Governments of Orissa Rajasthan, Sikkim, J & K expresed some difficulties in doing so in view of the certain socio-historical reasons.

5.1 It was agreed to examine the possibility of debarring lawyers in

proceedings relating to conferment of ownership rights on tenants. If there are certain inherent legal difficulties in the way of enacting such provision, the State Governments may provide free legal aid to tenants so that they can defend their rights in the courts.

5.2 Where allottees of surplus ceiling land, government wasteland, homestead land allotted by the government are involved in litigation, State Governments should defend their interests also in the concerned courts.

6. It was agreed that—(a) suggestions made last year in respect of giving protection to tribals concerning their rights on land should be implemented without delay, if not already done so (b) Administrative and judicial machinery should be suitably strengthened to detect cases of alienation under the existing laws and for speedy disposal of these cases respectively; (c) effective arrangements including deterent legal provisions should be made for ensuring that tribals were not evicted from land restored to t them. In the context of the concern expressed about growing alienation of tribal lands, inspite of the existence of protective provisions sufficient awareness must be created among the tribals about their legal rights; (d) while taking action to restore land to tribals from which they have been dispossessed the law of limitation and any other law seeking to nullify protective provisions should not apply. Suitable legislative proposals must be undertaken by the States for such enabling provisions.

7. All steps should be taken for speedy disposal of cases arising out of the alienation of tribal land so that such lands can be restored to them under the existing legal provisions and the possession of tribal over the restored land can be effectively protected. Most States did not consider setting up of special courts necessary because the disposal of such cases is done by the Revenue Courts. However where such arrangements do not exist and the cases are trialable by judicial courts, special courts may be set up. Appellate and revisionary forums should be curtailed to ensure speedy implementation of protective laws in favour of tribals.

8. It was indicated that provisions already exist in most State tenancy laws to protect the interests of serving defence personnel, ex-servicemen and the families of those who lose their lives while on duty. Some States have given priority to them in allotment of land also. States where such provisions do not exist may take suitable action to protect the interests of defence personnel regarding permitting tendency on their land while they are serving and resumption when they are no longer in service.

9.1 While generally reiterating the recommendations made in the last conference for identifying, acquiring and distributing ceiling surplus land, it was agreed that the already declared seiling surplus land should be distributed to eligible beneficiaries at the earliest.

9.2.1 Wherever pending litigation stands in the way of distribution of surplus land, effective measures should be taken to get the cases disposed of by the concerned courts. Some States have made elaborate arrangements for constitution of special legal cells in the Revenue Department for persuing these cases. Other States may take similar steps.

9.2.2 It was considered useful to constitute land tribunals under Article 323-B so that cases pending in High Courts and other courts under ceiling laws can be disposed of speedily. It was agreed that steps in this direction would be taken at the earliest.

9.3. It was particularly necessary that information should be collected about various steps including legal

measures taken by different States to implement land ceiling as well as other land reform laws to circulate them to other States so that they may benefit from their experience in case they face problems of similar nature. At present there is no such arrangements for dissemination of such information. It was also suggested that a Cell should be constituted in the Rural Development Department of the Central Government to monitor decisions taken in these conferences. This Cell should, among other things, also keep track of important judgements in High Courts and Supreme Court on significant aspects of land reform legislations and to advise States on suitable measure to be taken by them including necessary amendments in law for effective and speedy implementation of land reform measures on the basis of such judicial pronouncements.

9.4. No State reported any progress in respect of consensus arrived at in the last Revenue Ministers Conference regarding lowering of ceilng limits, including inclusion of a major son as member of the family unit. States|UTs concerned may report action taken at the earliest.

9.5. It is observed that in some States the average areas allotted under surplus ceiling land to Scheduled Castes and Scheduled Tribes is much less than allotted to other beneficiaries. This trend needs to be corrected immediately.

10. It was agreed to make suitable provision in the existing ceiling law whereby the State Government could be conferred the power for choice of an alternative piece of land in case the piece of land surrendered as surplus by the landowner is not fit for distribution.

11. The ceiling surplus land should not be earmarked for distribution to persons displaced under projects. should be rehabilitated at project cost.

12. It was agreed that vigorous steps have to be taken to identify benami, farzi and clandestine transaction in land undertaken to evade provisions of ceiling law. This task cannot be effectively accomplished without active cooperation of organisations of rural workers, panchayat bodies, voluntary organisations etc. which alone can provide concrete evidence having a bearing on violations of the provisions of the Ceiling law. This is also true of evidence to be gathered in respect of oral and informal tenancies. However the organisations of rural poor may not easily come forward to provide necessary information due to fear of eviction from their land or repraisals from land owners or police action against them to the behest of vested interests. It was pointed out that generally it was difficult to provide adequate protection to beneficiaries of land reform measures in such situations due to the unhelpful attitude of the law and order machinery and lack of control of revenue machinery over them. It was, therefore, suggested that suitable steps should be taken to ensure that protection of law and order machinery is available to share croppers tenants and beneficiaries of restoration in respect of tribal land against harrassment and oppression by land owners and other vested interests.

13. Land pattas to be granted in future could be made jointly in the names of husband and wife. But in respect of pattas already granted and distributed, as it would require huge administrative effort to convert them into joint pattas, it was felt that old pattas could be converted into joint pattas at the time of updating of

records or on a specific demand from a beneficiary even earlier.

14.1 It was suggested that suitable steps be taken to bring together revenue, development and police officers and beneficiaries of land reform measures together in such a way so that problems at present encountered while implementing land reforms programmes can be overcome and officers are enabled to change their orientation for this work.

14.2 Efforts be made to extend the area of consolidation while ensuring that rights of tenants and share croppers are adequately protected.

14.3 The benefits of consolidation would be set at naught if the trend in favour of continued fragmentation of land remains unchecked. States/UTs may examine whether this problem could be solved through any legal action.

15. There was an absolute unanimity on strengthening of revenue administration which seems to be in a poor shape in most of the States. It was complained by all Revenue Ministers/Secretaries that this being a non-plan department, they do not get even minimum funds for maintenance of their existing infrastructure not to speak of strengthening or improving it It was, therefore, recommended that land reforms programmes should be brought within the ambit of plan activity so that development funds be regularly allocated to this department.

16.1 All States welcome the Central Scheme to Strengthen Revenue Machinery of the State Governments for updating and records and its modernisation. It was, however, pointed out that the funds earmarked for it were too meagre as envisaged at present. The States wanted Central Government to finance assistance in strengthening revenue machinery at the village and supervisory level for maintenance and updating of records, carrying out survey and settlement operations, improving the infrastructure & mobility of the revenue functionaries, modernisation, computerisation of land records system and setting up of training institutions for imparting training to various revenue functionaries. Further, it was felt necessary that more funds should come forth under this scheme under the existing plan and the scheme should continue in the next plan as a long term measure.

16.2 Wherever no land records are maintained at present, early steps would be taken to complete survey and settlement work. The facilities provided by Survey of India for training of staff in survey techniques would be availed of to the maximum advantage. Its details should be circulated to all. Similarly, States Governments would consider deputing its officers to National Remote Sensing Agency etc. to familiarise themselves with the latest techniques for such future use as a considered necessary.

17. While most States have taken some action regarding tree patta scheme, a few States such as Assam, Kerala, North-Eastern States were not in favour of the scheme for different reasons. It was agreed that the Rural Development Department may continue its dialogue to convince them about the utility of the scheme.

18. It was agreed that a vigorous drive would be launched to distribute the remaining land donated in bhoodan among the eligible landless poor at the earliest and steps would be taken to deliver possession to the allottees simultaneously.

19. While there was a general agreement that the implementation of the Land Acquisition Act should be watched for some time before any further amendment is contemplated, a few States spoke in favour of doing away with the provisions regarding compulsory publication of notification in newspapers and retrospecti-

vity of payment of payment of solatium and interest as provided in the Amended Act. It was suggested by them that the Rural Development Department may examine whether the 'gist' of notification incorporating all the necessary information about the affected land owner would not meet the objectives of the Act.

20. The time limits suggested for various items of work were generally agreed to.

21. Since land tenure system is not uniform throughout the country and certain regions have special problems not faced by others some Ministers from North-East and Southern regions suggested holding of regional conferences before an all India Conference of Revenue Ministers. The suggestion was welcomeed by some Ministers from other regions also.

Applicants registered for LIG under 1979, DDA scheme

3438. SHRI BIR BHADRA PRATAP SINGH: Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) what is the number of applicants who got them registered for LIG in 1979 and are yet to be allotted accommodation by Delhi Development Authority;

(b) when the next draw is likely to be conducted; and

(c) by when all of them are likely to be allotted accommodation?

THE MINISTER OF STATE IN THE MINISTRY OF URBAN DEVELOPMENT (SHRI DALBIR SINGH): (a) 67502 applicants got registered with DDA under LIG category and 50526 are yet to be allotted accommodation.

(b) The next draw is likely to be held in Jan./Feb. 1987.

(c) No fixed time schedule can be indicated.

Central assistance to KDA

3439. SHRI BIR BHADRA PRATAP SINGH: Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) whether it is a fact that the Kanpur Development Authority, Kanpur has submitted various schemes to the Central Government for urban development and sanction of resources;

(b) whether it is also a fact that the Kanpur Development Authority has miserably failed to implement the schemes sanctioned by Government of India earlier; and

(c) if so, action being propsed to be taken to ensure that proper vigilance is kept on the activities of Kanpur Development Authority and other developmental authorities receiving Central Government sanction and assistance throughout the country?

THE MINISTER OF STATE IN THE MINISTRY OF URBAN DEVELOPMENT (SHRI DALBIR SINGH): (a) to (c) In 1983 certain proposals were received by the Government of India for the development of Kanpur, which were examined in consultation with the Government of UP. The Government of Uttar Pradesh informed the Ministry that the Kanpur Development Authority had framed a tentative project to deal effectively the problem of water pollution and environmental development of Kanpur city to the tune of Rs. 41 crores. This request was examined and it was felt that Kanpur Urban Development Project which is being implemented by the KDA at a cost of Rs. 41.35 crores with the World Bank loan assistance would take care of the development of Kanpur. The progress of implementation of this project is behind schedule and the State Government has been requested to ensure its speedy implementation.